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Attorneys for Defendant International Business
Machines Corporation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ASUSTEK COMPUTER, INC.,

Plaintiff,

vs.

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Defendant.

CASE NO. 08-CV-602-JM (WMc)

DEFENDANT'S NOTICE OF MOTION AND
MOTION FOR A MORE DEFINITE
STATEMENT

Judge: Hon. Jeffrey T. Miller

Date: May 30, 2008

Time: 1:30 p.m.

Crtrm.: 16

NOTICE IS HEREBY GIVEN that on May 30, 2008, 2008 at 1:30 p.m., or as soon
thereafter as counsel may be heard in Courtroom 16 before the Honorable Jeffrey T. Miller,
defendant International Business Machines Corporation ("IBM") will and hereby does move for an
order requiring plaintiff ASUSTeK Computer, Inc. ("ASUSTeK") to file a more definite statement
specifying which of IBM's products ASUSTeK believes infringe ASUSTeK's patents.

IBM's Motion is made on the grounds that ASUSTeK's complaint is impermissibly
indefinite in that it fails to identify the accused products with enough specificity to allow IBM to

1 frame a responsive pleading. IBM's Motion is based upon this Notice of Motion and Motion,
2 IBM's Memorandum of Points and Authorities, IBM's Request for Judicial Notice in support of
3 IBM's Motion, all pleadings and other records on file in this action, and such further evidence and
4 arguments as may be presented at or before the hearing.

5 DATED: April 23, 2008

QUINN EMANUEL URQUHART OLIVER &
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8 By s/Jeffrey N. Boozell

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